



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5902

by Rep. Will Guzzardi

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Speech Rights of Student Journalists Act. Defines "student journalist" as a public high school student. Provides that a student journalist has the right to exercise freedom of speech and of the press in school-sponsored media, regardless of whether the media is supported financially by the school district or by use of school facilities or produced in conjunction with a class in which the student is enrolled. Provides that a student journalist is responsible for determining the news, opinion, feature, and advertising content of school-sponsored media. Provides that the Act does not authorize or protect expression by a student journalist that (1) is libelous or slanderous; (2) constitutes an unwarranted invasion of privacy; (3) violates federal or State law; or (4) so incites students as to create a clear and present danger of the commission of an unlawful act, the violation of policies of the school district, or the material and substantial disruption of the orderly operation of the school. Provides that an employee of a school district shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student journalist engaged in conduct authorized under the Act. Effective immediately.

LRB099 20463 MLM 44969 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Speech  
5 Rights of Student Journalists Act.

6 Section 5. Definitions. As used in this Act:

7 "School-sponsored media" means any material that is  
8 prepared, substantially written, published, or broadcast by a  
9 student journalist at a public school, distributed or generally  
10 made available to members of the student body, and prepared  
11 under the direction of a student media adviser.  
12 School-sponsored media does not include media intended for  
13 distribution or transmission solely in the classroom in which  
14 the media is produced.

15 "Student journalist" means a public high school student who  
16 gathers, compiles, writes, edits, photographs, records, or  
17 prepares information for dissemination in school-sponsored  
18 media.

19 "Student media adviser" means an individual employed,  
20 appointed, or designated by a school district to supervise or  
21 provide instruction relating to school-sponsored media.

22 Section 10. Free speech. Except as otherwise provided in

1 Section 15 of this Act, a student journalist has the right to  
2 exercise freedom of speech and of the press in school-sponsored  
3 media, regardless of whether the media is supported financially  
4 by the school district or by use of school facilities or  
5 produced in conjunction with a class in which the student is  
6 enrolled. Subject to Section 15 of this Act, a student  
7 journalist is responsible for determining the news, opinion,  
8 feature, and advertising content of school-sponsored media.  
9 This Section shall not be construed to prevent a student media  
10 adviser from teaching professional standards of English and  
11 journalism to student journalists.

12 Section 15. Exceptions. This Act does not authorize or  
13 protect expression by a student journalist that:

- 14 (1) is libelous or slanderous;  
15 (2) constitutes an unwarranted invasion of privacy;  
16 (3) violates federal or State law; or  
17 (4) so incites students as to create a clear and  
18 present danger of the commission of an unlawful act, the  
19 violation of policies of the school district, or the  
20 material and substantial disruption of the orderly  
21 operation of the school.

22 Section 20. Protections for authorized conduct. An  
23 employee of a school district shall not be dismissed,  
24 suspended, disciplined, reassigned, transferred, or otherwise

1 retaliated against solely for acting to protect a student  
2 journalist engaged in conduct authorized under this Act or  
3 refusing to infringe upon conduct that is protected by this  
4 Act, the First Amendment to the United States Constitution, or  
5 Section 4 of Article I of the Illinois Constitution.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.